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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA)	CASE NO. 3-13-70883-NC
)	
v.)	
)	STIPULATION AND PROPOSED ORDER
JEFFREY HAWKINS,)	
)	
Defendant.)	Date: December 9, 2013
)	Time: 9:30 am
)	Court: Hon. Maria-Elena James

The Government respectfully submits this Stipulation and Proposed Order on behalf of the parties to request that the January 10, 2014, preliminary hearing date be continued until February 24, 2014, to allow the defendant the opportunity to seek resolution of this matter prior to the filing of formal charges as well as to accommodate the defendant's schedule. The parties hereby stipulate and agree that:

1. The defendant, Jeffrey Hawkins, was charged in a Criminal Complaint dated August 5, 2013, with interfering with an airplane flight crew, in violation of Title 49, United States Code, Section 46504. The defendant made his initial appearance before the Honorable Nathanael Cousins on August 14, 2013, and was released on a \$10,000 unsecured bond. Magistrate Judge Cousins set September 18,

2013, as the preliminary hearing/arraignment date.

2. Michael Paez, Esq., counsel for the defendant, requested an opportunity to prepare a formal submission to the Government proposing resolution of this matter prior to the filing of formal charges. Accordingly, the parties jointly requested, and the Court granted, a continuance of the preliminary hearing until September 18, 2013.

3. Mr. Paez has submitted a formal proposal to the Government, and the Government is now in the process of considering it. However, the Government requires additional time to consider this proposal because the proposed disposition will require the agreement of Pretrial Services in the Northern District of California (and possibly, Pretrial Services in the Southern and/or Eastern Districts of New York, where the defendant works and lives, respectively). Accordingly, the parties respectfully request that the January 10, 2014 preliminary hearing be continued until February 24, 2014. Should this request be granted, the parties submit that time should be properly excluded in the interests of justice and to ensure the effective assistance of counsel under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), and Fed. R. Crim. P. 5.1.

SO STIPULATED.

DATED: January 8, 2014

MELINDA HAAG
United States Attorney

By: /s/
W.S. WILSON LEUNG
Assistant United States Attorney

DATED: January 8, 2014

/s/
MICHAEL PAEZ, ESQ.
Counsel for defendant Jeffrey Hawkins

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1 FOR THE FOREGOING REASONS, IT IS HEREBY ORDERED THAT the January 10, 2014
2 preliminary hearing/arraignment for the above-captioned matter is continued until February 24, 2014,
3 and time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), and Fed. R. Crim. P. 5.1 is excluded
4 until February 24, 2014. The Court finds that good cause is shown for extending the time limits set forth
5 in Federal Rule of Criminal Procedure 5.1(c), and, further, concludes that the extension is proper under
6 Rule 5.1(d) and Title 18, United States Code, Sections 3060 and 3161. The Court finds that the ends of
7 justice served by granting the requested extension outweigh the best interests of the public and the
8 defendant in a speedy trial and in the prompt disposition of criminal cases. The Court also concludes
9 that an exclusion of time through and including February 24, 2014, should be made under Title 18,
10 United States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv). The Court also finds that the ends of
11 justice served by an exclusion of time through and including February 24, 2014, outweigh the best
12 interest of the public and the defendant in a speedy trial. Id. § 3161(h)(7)(A).

13
14 DATED: January 9, 2014


HON. ELIZABETH D. LAPORTE
Chief United States Magistrate Judge